

**SENATE BILL 338 (LRB -1821)**

An Act to amend 49.785 (1m) (b) of the statutes; relating to: maximum amount of funeral and burial expenses under the funeral, burial, and cemetery expenses program. (FE)

**2009**

- 10-08. S. Introduced by Senators **Lehman, Wirch, Miller, Lassa, Taylor, Kedzie** and **Hansen**; cosponsored by Representatives **Turner, Soletski, Kerkman, Montgomery, Nygren, Bies, Vos, Barca, A. Williams, Young** and **Hubler**.  
 10-08. S. Read first time and referred to committee on Ethics Reform and Government Operations ..... 354

**2010**

- 01-20. S. Public hearing held.  
 02-10. S. Executive action taken.  
 02-10. S. Report passage recommended by committee on Ethics Reform and Government Operations, Ayes 5, Noes 0 ..... 552  
 02-10. S. Available for scheduling.  
 02-18. S. Referred to joint committee on Finance by committee on Senate Organization pursuant to Senate Rule 41 (1)(e) ..... 571  
 02-18. S. Fiscal estimate received.  
 03-16. S. Executive action taken.  
 03-17. S. Report introduction of Senate Amendment 1 recommended by joint committee on Finance, Ayes 16, Noes 0 (**LRB a1829**) ..... 641  
 03-17. S. Report adoption of Senate Amendment 1 recommended by joint committee on Finance, Ayes 16, Noes 0 .. 641  
 03-17. S. Report passage as amended recommended by joint committee on Finance, Ayes 16, Noes 0 ..... 641  
 03-17. S. Available for scheduling.  
 04-08. S. Placed on calendar 4-13-2010 pursuant to Senate Rule 18(1) ..... 681  
 04-13. S. Read a second time ..... 697  
 04-13. S. Senate amendment 1 **adopted** ..... 697  
 04-13. S. Ordered to a third reading ..... 697  
 04-13. S. Rules suspended ..... 697  
 04-13. S. Read a third time and **passed**, Ayes 22, Noes 11 ..... 697  
 04-13. S. Ordered immediately messaged ..... 701  
 04-14. A. Received from Senate ..... 830  
 04-14. A. Read first time and referred to committee on Rules ..... 831  
 04-15. A. Made a special order of business at 11:41 A.M. on 4-20-2010 pursuant to Assembly Resolution 23 ..... 868  
 04-20. A. Read a second time.  
 04-20. A. Ordered to a third reading.  
 04-20. A. Rules suspended.  
 04-20. A. Read a third time and **concurred in**.  
 04-20. A. Ordered immediately messaged.  
 04-21. S. Received from Assembly concurred in.

2009

ENROLLED BILL

09en S B-338

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ADOPTED DOCUMENTS:

☒ Orig    ☐ Engr         SubAmdt     

09-1821/1

Amendments to above (if none, write "NONE"): SA1 - a1829/1

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Corrections - show date (if none, write "NONE"): NONE

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Topic REL

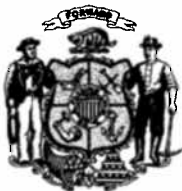
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4/21/10  
Date

Tamara J. Dodge  
Enrolling Drafter

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## 2009 SENATE BILL 338

October 8, 2009 – Introduced by Senators LEHMAN, WIRCH, MILLER, LASSA, TAYLOR, KEDZIE and HANSEN, cosponsored by Representatives TURNER, SOLETSKI, KERKMAN, MONTGOMERY, NYGREN, BIES, VOS, BARCA, A. WILLIAMS, YOUNG and HUBLER. Referred to Committee on Ethics Reform and Government Operations.

- 1     **AN ACT** *to amend* 49.785 (1m) (b) of the statutes; **relating to:** maximum amount  
2           of funeral and burial expenses under the funeral, burial, and cemetery  
3           expenses program.

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### *Analysis by the Legislative Reference Bureau*

Under current law, county departments of social services or human services (county departments) pay cemetery, funeral, and burial expenses for decedents who, during life, received certain public assistance benefits, such as Wisconsin Works benefits or Medical Assistance benefits, and whose estates at death are insufficient to pay those expenses. If an eligible a decedent's total funeral and burial expenses do not exceed \$3,500, a county department pays the lesser of \$1,500 or the amount not paid by the decedent's estate and other persons. The Department of Health Services reimburses county departments for payments that the county departments make for funeral and burial expenses from a general purpose revenue appropriation.

This bill increases the maximum funeral and burial expenses that obligate a county department to contribute toward the cost. Under the bill, a county department is not required to contribute toward a decedent's funeral and burial expenses if the total funeral and burial expenses exceed \$4,500, rather than \$3,500. The amount that a county department must contribute, however, remains at the lesser of \$1,500 or the amount not paid by the decedent's estate and other persons.

# SENATE BILL 338

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1        **SECTION 1.** 49.785 (1m) (b) of the statutes is amended to read:

2           49.785 (1m) (b) If the total funeral and burial expenses for the recipient exceed  
3       \$3,500 ~~\$4,500~~, the county or applicable tribal governing body or organization  
4       responsible for burial of the recipient is not required to make a payment for funeral  
5       and burial expenses under sub. (1) (b).

**6 SECTION 2. Initial applicability.**

(1) This act first applies to funeral and burial expenses incurred on account of deaths occurring on the effective date of this subsection.

**(END)**

9

Insert  
SAI-1



State of Wisconsin  
2009 – 2010 LEGISLATURE

LRBa1829/1  
PJK:kjf:md

**SENATE AMENDMENT 1,  
TO 2009 SENATE BILL 338**

March 17, 2010 – Offered by JOINT COMMITTEE ON FINANCE.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 8: after that line insert:

3 **"SECTION 3. Effective date.**

4 **(1) This act takes effect on January 1, 2011."**

5 (END)

(SAI-1)